

**United States District Court  
for the District of New Jersey**

EDWARD M. SMALLS,  
*Plaintiff,*

v.

THE TOWNSHIP OF ENGLEWOOD, et al.  
*Defendants.*

Civil No.: 11-7210 (KSH)

**ORDER**

**Katharine S. Hayden, U.S.D.J.**

This matter comes before the Court upon plaintiff Edward Smalls's motion for entry of default judgment [D.E. 61] against defendant Sheila Butler; and

Smalls having commenced this action against Defendants for, among other things, their alleged constitutional violations regarding his arrest and prosecution; and

The Court, having reviewed Smalls' submissions on the motion, finding that Smalls's proof of damages [D.E. 61-1] is inadequate to support his request for default judgment;

**IT IS**, on this 30th day of March 2015,

**ORDERED** that the motion for entry of default judgment [D.E. 61] is DENIED.

Plaintiff may refile his motion on or before April 10, 2015, returnable May 4, 2015. Failure to do so shall result in dismissal as against Sheila Butler for failure to prosecute.

/s/ Katharine S. Hayden  
Katharine S. Hayden, U.S.D.J.